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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,172	04/21/2000	Yasuhiko Terashita	SONY-T0474	6517
22850	7590	02/23/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			FLETCHER, JAMES A	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 02/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/557,172

Applicant(s)

TERASHITA ET AL.

Examiner

James A. Fletcher

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2000.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-25 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 21 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12, 16-18, and 23-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Abe et al (6,356,709).

Regarding claims 1 and 5-8, Abe et al disclose an information processing apparatus, method, and program comprising:

- first recording and reproducing means, method, and program for recording one moving picture in at least one recording increment (Col 2, lines 36-38 “recording means for recording the picture data outputted by the picture compressing means on a recording medium”);
- second recording and reproducing means, method, and program for recording a still picture corresponding to the moving picture in keeping with the recording increment of the moving picture (Col 2, lines 61-64 “Picture data inclusive of the still picture recording mode information specifying that the picture is a still picture is recorded on the recording medium for the still picture recording mode”); and
- third recording and reproducing means, method, and program for recording information about the moving picture being recorded by the first recording

means (Col 4, lines 46-47 "The picture compression device 5 includes an encoding circuit for MPEG2, for example." MPEG 2 data inherently comprises header data, time stamps, and other information about the moving pictures).

Regarding claim 2, Abe et al disclose an information processing apparatus wherein the second recording means records a still picture corresponding to a scene switchover of the moving picture (Col 5, lines 57-62 "If, during the time the moving picture recording button 14 is pressed down such that the recording is going on under the moving picture recording mode, the still picture recording button 15 is pressed down, the CPU 16 switches the picture compression parameters from those for the moving picture to those for the still picture for one frame period.").

Regarding claim 3, Abe et al disclose an information processing apparatus wherein the first recording means uses a file as the recording increment (Col 8, lines 18-19 "The picture compression device 25 includes, for example an encoding circuit for MPEG2." MPEG2 inherently stores image data in a plurality of data packages that read on the term "file." These include, for example only, the Group of Pictures [GOP], the packs, packets, or even the I-, P-, and B-frames.).

Regarding claim 4, Abe et al disclose an information processing apparatus wherein the first recording means records the one moving picture to at least one storage medium (Col 2, lines 36-38 "recording means for recording the picture data outputted by the picture compressing means on a recording medium").

Regarding claims 9-12, Abe et al disclose an information managing method and program comprising:

- recording and reproducing firstly a still picture corresponding to a moving picture in at least one recording increment (Col 8, lines 18-19 "The picture compression device 25 includes, for example an encoding circuit for MPEG2." MPEG2 inherently records an I-frame as its first picture in the moving picture recording increment of a GOP, which reads on "firstly a still picture." Further, the reference notes that the still pictures it records are I-frames, which are again inherently the first picture in a GOP.); and
- recording and reproducing secondly information about the still picture being recorded in the first recording step (Col 8, lines 18-19 "The picture compression device 25 includes, for example an encoding circuit for MPEG2." MPEG 2 inherently includes information about the I-frames, including, for example, reproduction time stamps).

Regarding claims 16-18, Abe et al disclose an information processing apparatus, method, and program for recording file designation information designating a moving picture recorded on an external storage medium (Col 8, lines 29-31 "The storage device 27 includes a recording medium mounting unit for loading the exchangeable recording mediums" and Col 11, lines 40-41 "a recording/reproducing unit 116 connected to the buffer memory unit"), and still picture information corresponding to the moving picture (Col 5, lines 57-62 "If, during the time the moving picture recording button 14 is pressed down such that the recording is going on under the moving picture

recording mode, the still picture recording button 15 is pressed down, the CPU 16 switches the picture compression parameters from those for the moving picture to those for the still picture for one frame period.”).

Regarding claims 23-25, Abe et al disclose an information managing apparatus, method, and program wherein the external storage medium is a video tape (Col 8, lines 30-31, “the exchangeable recording mediums, such as a tape”).

3. Claims 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Lewis et al (4,224,644).

Regarding claims 13-15, Lewis et al disclose an information managing apparatus, method, and program comprising:

- first recording means for recording a moving picture (Col 4, line 23 “audio/video player/recorder”);
- second recording means for recording data identifying the moving picture, data specifying where to start reproduction of the moving picture, and data specifying where to end reproduction of the moving picture (Abstract “the stored start and stop numbers for each selection are subsequently recorded on the tape”); and
- third recording means for recording data identifying the moving picture recorded by the second recording means, data specifying where to start reproduction of the moving picture, and data specifying where to end reproduction of the moving picture (Col 6, lines 5-13 “a conventional digital memory device having a series of storage registers for storing numerical

equivalents of tape position, hereinafter referred to as tape position numbers. Specifically, memory 35 has sufficient storage capacity for storing the tape position numbers indicative of the start point for each selection recorded on a tape, the tape position numbers indicative of the stop point for each selection recorded on a tape").

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe et al, and further in view of Lewis et al.

Regarding claims 19, 21, and 22, Abe et al disclose an information processing apparatus, method, and program comprising reproducing means for retrieving file designation information and still picture information (Col 2, lines 28-30 "an apparatus and a method and a recording medium for moving/still pictures for enabling only the still picture data to be selected and reproduced"), the file designation information designating a moving picture (Col 4, lines 46-47 "The picture compression device 5 includes an encoding circuit for MPEG2, for example." MPEG 2 data inherently comprises header data, time stamps, and other information about the moving pictures) recorded on an external storage medium (Col 8, lines 29-31 "The storage device 27 includes a recording medium mounting unit for loading the exchangeable recording

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mediums" and Col 11, lines 40-41 "a recording/reproducing unit 116 connected to the buffer memory unit"), the still picture information corresponding to the moving picture (Col 5, lines 57-62 "If, during the time the moving picture recording button 14 is pressed down such that the recording is going on under the moving picture recording mode, the still picture recording button 15 is pressed down, the CPU 16 switches the picture compression parameters from those for the moving picture to those for the still picture for one frame period.").

Abe et al do not disclose reading the file designation data from an internal storage medium.

Lewis et al teach storing file designation data on an internal storage medium, and reading that data from that internal storage medium (Col 6, lines 9-13 "memory 35 has sufficient storage capacity for storing the tape position numbers indicative of the start point for each selection recorded on a tape, the tape position numbers indicative of the stop point for each selection recorded on a tape" and Col 6, lines 27-29 "scan and match circuit 40...compares the output of counter 30 with the number stored in a selected register in memory 35").

As taught by Lewis et al, reading data from an internal storage device relating to a program stored on an external storage device allows a fast reading of the data, without the need to access an external storage device, resulting in a faster operation and fewer commands to the external device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Abe et al to read the motion picture related data from an internal memory storage device.

Regarding claim 20, Abe et al disclose an information processing apparatus comprising moving picture reproducing means for retrieving a moving picture from the external storage medium in accordance with an output from the reproducing means (Col 13, lines 57-61 "The picture compression/expansion processor...has its operating mode changed over by the controller 117 to an input mode or to an output mode").

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (703) 305-3464. The examiner can normally be reached on 7:45AM - 5:45PM M-Th, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached at (703) 308-9644.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA Sixth Floor (Receptionist).


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

JAF
February 12, 2004


VINCENT BOCCIO
PRIMARY EXAMINER